**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**APPELLATE SIDE**

**CIVIL APPLICATION NO.1304 of 2005.**
**IN**
**FIRST APPEAL ST.NO.23627 OF 2004.**

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| Office notes, office memoranda of Coram, appearances, Court's orders or directions and Registrar's orders. | Court's or Judge's orders. |
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Shri M.S.Lagu for the Applicant.

Shri S.A.Sawant for the Respondent.

**CORAM : ABHAY S.OKA, J.**

**DATED : 27th July, 2006.**

**P.C.:**

1. Heard the learned Advocate appearing for the Applicant and the learned Advocate appearing for Respondent No.1.

2. Office noting shows that the Respondent No.2 is served. The Application is already dismissed as against Respondent No.3.

3. Sufficient cause for condonation of delay is made out. Hence Rule is made absolute in terms of prayer clause (a). It is made clear that the Appeal also stands dismissed as against Respondent No.3. Office to assign appropriate date for hearing as to admission of the First Appeal.

4. The Appellant is directed to remove all office objections in the First Appeal within a period of four weeks from today failing which the Appeal will stands dismissed for want of prosecution.

**Judge.**